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Attorney for Defendant, Captain Rollin Heassler

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JASON O. WATSON, an individual,

Plaintiff,

vs.

CAPT. ROLLIN R. HEASSLER, an individual,

Defendant.

Civil Action No.: CV-08-01851 JCS

**STIPULATION TO SET ASIDE DEFAULT
AND [PROPOSED] ORDER
[FRCP 55(c)]**

Hearing Date: Friday, June 27, 2008

Time: 9:30 a.m.

Courtroom: A, 15th Floor

Hon. Magistrate Judge Joseph C. Spero

STIPULATION

Plaintiff JASON O. WATSON ("Plaintiff"), by and through his attorneys of record, and Defendant Captain ROLLIN R. HEASSLER ("Defendant"), by and through his attorney of record, (collectively, the "Parties") HEREBY STIPULATE AS FOLLOWS:

WHEREAS, Plaintiff served Defendant with the complaint in this matter on or about April 8, 2008;

WHEREAS, as an officer and employee of the United States Army, Defendant believed he had sixty (60) days to respond to the Complaint, as indicated by the Summons;

WHEREAS, Defendant promptly took steps to register as an ECF electronic filer in order to file a response in this matter;

STIPULATION TO SET ASIDE DEFAULT AND [PROPOSED] ORDER [FRCP 55(c)]

1 WHEREAS, the clerk entered a default in this matter on Thursday, May 15, 2008;

2 WHEREAS, Defendant filed a Motion for Relief from Default on Tuesday, May 20, 2008,
3 and a hearing on said motion is presently scheduled for June 27, 2008.

4 IT IS HEREBY STIPULATED that:

5 1. The default entered by the clerk in this matter may be set aside and Defendant shall
6 be permitted to file a response in this action;


7 2. That Defendant shall have twenty (20) days from the entry of the Order setting
8 aside the default to file his response;

9 3. The pending Motion to Set Aside Default shall be taken off calendar, and each
10 party shall bear their own costs.

11 IT IS SO STIPULATED.

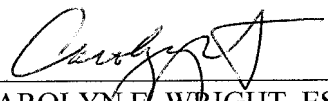
12 Dated: June 2, 2008

THE MORALES LAW FIRM

13 By: 
14 DAVID MORALES, ESQ.
15 Attorney for Defendant Capt. Heassler

16 Dated: June 2, 2008

BUCKLEY BROWN, P.C.

17 By: 
18 CAROLYN E. WRIGHT, ESQ.
19 2970 Claremont Road, NE, Ste. 1010
20 Atlanta, GA 30329

21 GAVIN KOGAN, ESQ.
22 Kogan & Associates, LLC
23 147 River Street, Ste. 234-A
Santa Cruz, CA 95060

24 Attorneys for Plaintiff Jason Watson
25
26
27
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[PROPOSED] ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the default entered by the clerk in this matter be set aside. IT IS FURTHER ORDERED that Defendant shall have twenty (20) days from the entry of this Order to file his response. IT IS FURTHER ORDERED that the pending Motion to Set Aside Default shall be taken off calendar, and each party shall bear their own costs.

IT IS SO ORDERED.

Dated: June ____, 2008

HONORABLE JOSEPH C. SPERO
Magistrate Judge of the U.S. District Court